Committee for Judicial Impact Assessment

390. SHRI BALAVANT *ALIAS* BAL APTE:
SHRI SHREEGOPAL VYAS:

Will the Minister of LAW AND JUSTICE be pleased to state:

(a) whether a Committee or Commission is appointed for "Judicial Impact Assessment" of Legislations creating new legal issues and liabilities creating a further workload for judical system;

(b) if so, what are the terms of reference and the details of members thereof;

(c) whether the Committee has given its report; and

(d) if so, the details thereof?

THE MINISTER OF LAW AND JUSTICE (SHRI H.R. BHARDWAJ): (a) to (d) The Government has constituted a Task Force for examining the feasibility of Judicial Imapct Assessment in India, *vide* Notification dated 15th February, 2007. The term of the Task Force has been extended upto 15th June, 2008 by a Notification dated 7th September, 2007, within which it is required to give its report. The composition of the Task Force is as under:—

i. Shri Justice M. Jagannadha Rao, former Judge of the Supreme Court and formerly Chairman, Law Commission of India	—	Chairman
ii. Prof. (Dr.) N.R. Madhava Menon, former Director of the National Judicial Academy, Bhopal	—	Member
	—	Member
iii. Prof. (Dr.) Mohan Gopal, Director of the National Judicial Academy, Bhopal	—	Member
iv. Shri T.C.A. Anant, Member Secretary of India Council of Social Science Research	—	Member
v. Shri Ramesh Abhishek, Joint Secretary, D/o Justice	—	Member Secretary

Permanent Invitees

i. Secretary, Department of Legal Affairs

ii. Secretary, Legislative Department

iii. Finance Secretary

The Terms of Reference of the Task Force is as under:—

i. To suggest the methodology to assess the likely impact of legislation on the courts and also an appropriate framework so that every Bill introduced in Parliament be accompanied by a Judicial Impact Assessment.

ii. To suggest ways and means of preparation of Judicial Impact Assessment.

iii. To make an assessment of financial requirement so that the Finance Memorandum attached to each Bill reflects the budgetary requirements for meeting the expenses of additional cases (civil and criminal) which may arise in case the Bill is passed by the Legislature.

iv. To recommend the content for initiating a training programme for laying down the foundation for the expertise to prepare Judicial Impact Assessment.

v. To suggest any other measures required for assessing the increase of the workload on the courts on passing of a new legislation.

The Task Force has not submitted its report so far.

Setting up of a Supreme Court Bench in Chennai

391. SHRI T.T.V. DHINAKARAN: Will the Minister of LAW AND JUSTICE be pleased to state:

(a) whether it is proposed to set up a Bench of Supreme Court at Chennai;

(b) if so, the details thereof; and

(c) if not, the reasons therefor?

THE MINISTER OF LAW AND JUSTICE (SHRI H.R. BHARDWAJ): (a) No, Sir.

(b) and (c) The Chief Justice of India as well as the Full Court have been consistenly opposed to the proposal for the setting up of the Benches of the Supreme Court in other parts of the country. Advocate-on-Record or a petitioner-in-person can, however, file cases in the Supreme Court of India through Internet.

Law Commission's suggestions regarding marriageable age of men

392. SHRI DHARAM PAL SABHARWAL: Will the Minister of LAW AND JUSTICE be pleased to state:

(a) whether it is fact that the Law Commission has proposed that the age for sexual consent be raised from 15 years to 16 years for all girls regardless of marriage;

(b) whether the Commission has also suggested for reducing the minimum age of marriage for men from 21 to 17 years;

(c) if so, the details of the suggestions made by the Commission; and

(d) whether Government would consult State Government before implementing the suggestion of the Commission and if not, the reasons therefor?

THE MINISTER OF LAW AND JUSTICE (SHRI H. R. BHARDWAJ): (a) Yes, Sir. The Law Commission of India in its 205th report on "Proposal to Amend the Prohibition of Child Marriage Act, 2006 and other Allied Laws" (2008) has recommended that the exception to the section 375 of the Indian Penal Code be deleted.

(b) The Law Commission of India has recommended that the age of marriage for both boys and girls should be 18 years.

(c) The details of the recommendations are in Chapter VI of the 205th Report of the Law Commission, which is available on the Law Commission's Website *www.lawmin.nic.in. i.e.*

(d) The suggestions made by the Law Commission in the 205th Report are relatable to List III—Concurrent List of the Seventh Schedule to the Constitution of India. Hence, consultation with the State Government is necessary before implementing the suggestions.